



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of :
Pal Maliga, et al. : Examiner: Anne R. Kubelik
Serial No. 09/762,105 : Group Art Unit: 1638
Filed: April 23, 2001 : Response to Paper No: 204
For: "Translation Control : Docket: 1594-RUT.00-0010US
Elements for High-Level Protein
Expression in the Plastids of
Higher Plants and Methods of
Use Thereof"

**NOTICE OF APPEAL FROM THE PRIMARY
EXAMINER TO THE BOARD OF APPEALS**

Applicant hereby appeals to the Board of Appeals from the decision dated June 3, 2004 of the Primary Examiner finally rejecting claims 1, 2, 4, 5, 8-17.

This application is on behalf of

[] other than a small entity

[X] small entity.

The Appeal Fee of \$165.00 is

[X] enclosed

[] not required (fee paid in prior appeal in this application).

[X] charge any underpayment or credit any overpayment to Deposit Account No. 04-1406 (A duplicate copy of this Notice is enclosed herewith).

Respectfully submitted,

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